

**STATE OF IDAHO
OUTFITTERS AND GUIDES LICENSING BOARD
TELECONFERENCE BOARD MEETING**

FINAL MINUTES

MARCH 25, 2020

**(KEY: MSC = MOTION: MADE, SECOND: CARRIED
MSF = MOTION: MADE, SECOND: FAILED)**

THE REGULAR MEETING OF THE IDAHO OUTFITTERS AND GUIDES LICENSING BOARD WAS CALLED TO ORDER AT 9:00 A.M. WEDNESDAY MARCH 25, 2020 IN THE MEETING ROOM AT THE IDAHO OUTFITTERS AND GUIDES LICENSING BOARD OFFICE, 1365 N. ORCHARD STREET ROOM 172 BOISE, IDAHO 83706. BOARD MEMBERS BOB BAROWSKY (CHAIRMAN), GEORGE MCQUISTON, LOUISE STARK, ZACH MASON AND WAYNE HUNSUCKER PARTICIPATED BY CONFERENCE CALL. ALSO PARTICIPATING BY CONFERENCE CALL WAS PROSECUTING ATTORNEY MIKE KANE. PRESENT IN THE OFFICE WERE EXECUTIVE DIRECTOR LORI THOMASON, BOARD ATTORNEY ROGER HALES, OFFICE SUPERVISOR AMANDA HARPER, AND EDUCATION AND ENFORCEMENT CHIEF RANDY WADLEY.

MEETING OVERVIEW – Chairman Bob Barowsky gave an overview of the Board meeting.

Benjamin J Brault – Guide License Hearing – A guide license hearing was conducted telephonically by the Board's prosecuting attorney Mike Kane. Benjamin Brault, the applicant, was identified and placed under oath. Mr. Kane explained that Director Thomason, by Board policy, had deferred Mr. Brault's new guide license application due to the Enforcement Division's review and scoring of Mr. Brault's felony and misdemeanor convictions disclosed on his application. Mr. Brault is seeking a guide license to work for Rapid River Outfitters LLC. Mr. Brault testified, and certain exhibits were introduced into evidence. **MSC (MOTION: MASON, SECOND: STARK; AYES – STARK, MCQUISTON, HUNSUCKER, MASON AND BAROWSKY; NAYES – NONE) TO FIND MR. BRAULT VIOLATED THE BOARD'S LAWS AND RULES AND TO GRANT A GUIDE LICENSE TO MR. BRAULT WITH ONE YEAR GENERAL PROBATION.**

Lance D. Cole – Guide License Hearing – A guide license hearing was conducted telephonically by the Board's prosecuting attorney Mike Kane. Lance Cole, the applicant, was identified and placed under oath. Mr. Kane explained that Director Thomason, by Board policy, had deferred Mr. Cole's renewal guide license application due to the Enforcement Division's review and scoring of Mr. Cole's felony conviction not disclosed on his application. Mr. Cole is seeking a guide license to work for Sun Valley Outfitters LLC. Mr. Cole testified, and certain exhibits were introduced into evidence. **MSC (MOTION: MCQUISTON, SECOND: FAILED) TO FIND MR. COLE VIOLATED THE BOARD'S LAWS AND RULES AND TO RESTRICT LICENSING MR. COLE FOR THE 2020 LICENSE YEAR.**

MSC (MOTION: STARK, SECOND: MASON; AYES – STARK AND MASON; NAYES – MCQUISTON, HUNSUCKER, BAROWSY) TO FIND MR. COLE VIOLATED THE BOARD'S LAWS AND RULES AND TO GRANT MR. COLE A GUIDE LICENSE WITH TWO YEARS RESTRICTED PROBATION AND ASSESS A FINE OF \$600 TO BE PAID WITHIN 30 DAYS.

MSC (MOTION: HUNSUCKER, SECOND: MCQUISTON; AYES – MCQUISTON, HUNSUCKER AND BAROWSKY; NAYES – STARK AND MASON) TO FIND MR. COLE VIOLATED THE BOARD’S LAWS AND RULES, ASSESS MR. COLE A FINE OF \$5,000 TO BE PAID WITHIN 6 MONTHS, AND DENY MR. COLE’S APPLICATION FOR A GUIDE LICENSE FOR ONE YEAR ENDING ON MARCH 31, 2021.

Cont. Board Attorney Roger Hales informed the Board that due to the nature of the Board motion, a Board Order will need to be prepared. The Board directed counsel to draft the order for the Board Chair signature.

Prosecuting Attorney Mike Kane excused himself at 10:42 a.m. with all hearings being complete.

IDFG UPDATE – Brad Compton, Regional Supervisor with the Idaho Department of Fish and Game (IDFG), appeared before the Board and gave an update. **WOLF TAG LIMITS**– The Commission has increased the number of wolf tags that can be purchased. The limit is fifteen for wolf hunters and fifteen for trappers. This gives one individual the ability to get up to and harvest a maximum of thirty wolves. **WOLF HUNTING AND TRAPPING SEASONS** – The Commission expanded wolf hunting to year-round in high livestock conflict zones. There were 19 game management units in the state that qualified. The remainder of the game management units went to an 11-month season. The seasons took effect immediately and are posted on IDFG website. Trapping was also expanded into parts of Idaho that did not have a trapping season, primarily in southcentral and southeast Idaho. **STEELHEAD SEASON** – On March 12th, the Commission modified the steelhead season by lifting the restriction of not being able to keep a fish above 28 inches. **CHINOOK SEASON** – At the March 20th Commission meeting a Chinook season was adopted. The run, while not robust, is projected to be a little bit better than last year so again there will be somewhat of a limited season. The bag limit will be 4 with no more than one adult fish. **MOOSE PLAN** – The Commission adopted a new moose plan which largely puts in motion a bunch of effort, study, and research by the Department to figure out what is causing localized declines in the moose populations including a decline in areas outside of wolf range. Recently, the Department collared about 110 moose scattered from the Panhandle to the southeast corner of the State. This effort will help get a better understanding of what’s driving the moose population. Once this is understood then the Department can work on the goal of increasing numbers. **WAITING PERIOD** – The Commission established a five-day waiting period after capped elk zone tags go on sale for hunters to be eligible that have applied for a controlled elk hunt. This is the result of a three-year effort by the Commission to resolve hunter congestion. **UPDATE FROM DR. KENNY WALLING** – Dr. Kenny Walling, the new Humans Dimensions Professor at the University of Idaho, is conducting hunter congestion surveys for white-tailed deer, mule deer, and elk. This is part of the adoption of the new white-tailed and mule deer plans which are focused on resolving hunter congestion. **NEW LICENSING SYSTEM** – The new licensing system is projected to up and running by November 1, 2020. Among other things, this new system will have the capacity to limit non-resident tag sales. **NON-RESIDENT TAG SALE LEGISLATION** - The Department’s legislation to increase fees for non-residents was adopted this year and will go into effect as of July 1, 2020. This was tied to the Commission’s desire to reduce non-resident tags in congested areas. The goal of the fee increase is to break even financially as to be able to continue providing services. **LEGISLATIVE BILLS** - All bills that were proposed by the Department this year were approved by the Legislature. **NON-OUTFITTED AREAS** – IOGLB Director Lori Thomason asked Mr. Compton to talk about the non-outfitted areas across the state. Mr. Compton stated that Angie Schmidt with IDFG’s GIS shop is developing maps of outfitted and non-outfitted areas across the state. She will provide them to all the regions and ask for policy level input. The Department continues to support the concept of maintaining some areas in the state that do not have outfitting but in the areas that have no local concerns, continuing to work through the OG-25 Fish and Game Comment form.

DIRECTOR'S EVALUATION – MSC (MOTION: MASON; SECOND: HUNSUCKER; AYES – HUNSUCKER, STARK, MCQUISTON, MASON AND BAROWSKY; NAYES – NONE) MOTION TO GO INTO EXECUTIVE SESSION AT 11:20 A.M. TO DISCUSS PERSONNEL MATTERS PERTAINING TO THE DIRECTOR'S EVALUATION PURSUANT TO IDAHO CODE SECTION 74-206(1)(B).

MSC (MOTION: HUNSUCKER; SECOND: MASON; AYES – HUNSUCKER, STARK, MCQUISTON, MASON AND BAROWSKY; NAYES – NONE) TO COME OUT OF EXECUTIVE SESSION AT 12:11 P.M. WITH NO DECISIONS MADE.

Meeting recessed for lunch at 12:15 p.m. Meeting reconvened at 1:30 p.m. with all listed above present.

BOARD MEMBER TRAINING – Newly appointed Board member Zach Mason was asked to review the Board member training packet to ensure he understands his charge as a Board member and contact Board Attorney Roger Hales with any questions he may have.

OFFICE SUPERVISOR'S REPORT – Idaho Whitetail Guides – Office Supervisor Amanda Harper explained that an application was received by Bradley Dammerman, dba: Idaho Whitetail Guides, to add an additional operating area to his outfitter license in IDFG unit 6 on land managed by Potlatch Deltic. She added that a fish and game comment form that was received expressed some concern of possible conflict with the non-outfitted hunters in that unit. Ms. Harper explained that this amendment would only apply to the Potlatch Deltic land within unit 6. Ami Dammerman, co-owner of Idaho Whitetail Guides, and Brant Steigers, land manager for Potlatch Deltic, joined the meeting by teleconference to provide additional information and answer any questions the Board may have in their consideration of this amendment. **(MOTION: STARK; SECOND: MCQUISTON; AYES – HUNSUCKER, STARK, MCQUISTON, MASON AND BAROWSKY; NAYES – NONE) APPROVE THE MAJOR AMENDMENT AS APPLIED FOR ON POLTACH DELTIC LAND ONLY THAT IS IDENTIFIED ON THE PROVIDED MAP FOR ACTIVITIES LISTED ON APPLICATION.**

Board Attorney Roger Hales informed the Board that in response to the COVID-19 pandemic, Governor Brad Little just issued a statewide stay-at-home order for all non-essential businesses and services, which is effective immediately and will continue for twenty-one days. He recommended the Board quickly review the agenda and address the essential items and move the remaining items to the June 16-17, 2020 Board meeting to be able to send staff home and comply with the Governor's order.

ADOPTION OF TEMPORARY RULE FOR DESIGNATION OF ALLOCATED TAGS – Board Attorney Joan Callahan informed the Board that House Bill 426, which is the legislation that the Board worked on with the Idaho Outfitters and Guides Association (IOGA), regarding the Board's designation of allocated tags was signed into law and effective as of March 11, 2020. Ms. Callahan recommended that because the Idaho Fish and Game Commission did not set big game seasons for deer or elk at the March Commission meeting that the Board could wait until the June Board meeting to review and adopt a temporary rule to implement House Bill 426.

FINANCIAL REPORT – The Board reviewed the financial report for January, February, and March 2020. **MSC (MOTION: STARK; SECOND: MASON; AYES – MCQUISTON, STARK, HUNSUCKER, MASON AND BAROWSKY; NAYES – NONE) TO ACCEPT THE FINANCIAL REPORT AS PRESENTED.**

CONSENT AGENDA – The Board reviewed the Consent Agenda. **MSC (MOTION: HUNSUCKER; SECOND: MCQUISTON; AYES – HUNSUCKER, MCQUISTON, STARK, MASON AND BAROWSKY; NAYES – NONE) TO ACCEPT THE CONSENT AGENDA AS PRESENTED.**

DIRECTOR'S REPORT – CEC – Executive Director Lori Thomason informed the Board that the Governor's office has recommended an employee CEC raise of 2% based on performance evaluations. She asked the Board for approval. **(MOTION: HUNSUCKER; SECOND: MCQUISTON; AYES – HUNSUCKER, STARK, MCQUISTON, MASON AND BAROWSKY; NAYES – NONE) APPROVE CEC RECOMMENDATION OF A 2% INCREASE.**

NEGOTIATED RULEMAKING HEARING – The Board cancelled the Negotiated Rulemaking Public Hearing that was scheduled for March 26, 2020 because of the Governor's stay-at-home order and additional opportunities for participation at the two additional negotiated rulemaking hearings scheduled this year in June and August.

All other agenda items were moved to the next Board meeting.

The next Board Meeting is June 16 and 17, 2020.

With no further business to come before the Board, Board Chairman Bob Barowsky adjourned the meeting at 2:20 p.m., Wednesday, March 25, 2020.

Bob Barowsky

June 16, 2020

BOB BAROWSKY, BOARD CHAIRMAN

Date

ATTEST:



LORI THOMASON, EXECUTIVE DIRECTOR

6-16-2020

Date